

**REMARKS**

Claims 276-351 constitute the pending claims in the instant application.

Applicants respectfully request reconsideration in view of the following remarks. Issues raised by the Examiner will be addressed below in the order they appear in the Office Action.

**Double Patenting Rejections**

Claims 276-278, 288-295, 297, 308, 313-315, 317, 328, 333-335, 337, 339-342, 346, and 347-351 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 5-29 of U.S. Pat. No. 6,716,966.

Pursuant to 37 C.F.R. § 1.130(b), Applicants hereby submit a terminal disclaimer in compliance with 37 C.F.R. § 1.321(c) to overcome the double patenting rejection.

Claims 276-282, 299-302, 313-315, 319, 334, and 335 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 30, 71, 76, 85-88, 96, 98-100, 103-114, 117-119, and 123-128 of the co-pending U.S. Application No. 09/152,698.

Applicants' attorneys Lisa Treannie and Yu Lu interviewed Examiner Canella on July 17, 2007 regarding this rejection, and the related provisional double patenting rejection in the related U.S.S.N. 09/152,698.

During the interview, the Examiner indicates that it is the Office preference to have Applicants file a Terminal Disclaimer in the later-filed application, such as the instant application (as opposed to the earlier-filed application, such as U.S.S.N. 09/152,698). Thus, it was agreed that the Examiner will withdraw the provisional double patenting rejection in the related U.S.S.N. 09/152,698, and Applicants will file a terminal disclaimer with this response to overcome the

double patenting rejection over the allowable Claims 30, 71, 76, 85-88, 96, 98-100, 103-114, 117-119, and 123-128 in the co-pending U.S. Application No. 09/152,698.

This response also constitutes the “complete written statement of the reasons presented at the interview as warranting favorable action” under 37 C.F.R. § 1.133(b).

In view of the foregoing, Applicants respectfully request the Examiner to reconsider and withdraw all the double patenting rejections in this application.

### CONCLUSION

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Applicants believe no fee is due with this response other than the fees submitted concurrently. However, if any additional fee is due, please charge our Deposit Account No. **18-1945**, from which the undersigned is authorized to draw under Order No. **AREX-P03-004**.

Dated: July 25, 2007

Respectfully submitted,

By

Yu Lu, Ph.D., J.D.

Registration No.: 50,306  
ROPES & GRAY LLP  
One International Place  
Boston, Massachusetts 02110-2624  
(617) 951-7000  
(617) 951-7050 (Fax)  
Attorneys/Agents For Applicant